

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DAVID J. PEDERSEN,

Plaintiff,

v.

TRACY SCHNEIDER,

Defendant.

CASE NO. 3:21-cv-05121-RSM-BAT

**ORDER GRANTING PLAINTIFF'S
MOTION FOR A CONTINUANCE
AND RE-NOTING MOTIONS**

Plaintiff proceeds *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. Currently pending before the Court are Plaintiff's motion for summary judgment (Dkt. 20), Defendant's cross-motion for summary judgment (Dkt. 22), Defendant's motion to seal an exhibit in support of their cross-motion (Dkt. 25), and Plaintiff's motion seeking a "continuance" (Dkt. 27) to fully respond to Defendant's cross-motion for summary judgment.

In his motion seeking a continuance, Plaintiff indicates that he had not yet received responses to his discovery requests at the time his response to Defendant's cross-motion for summary judgment was due. Dkt. 27. He contends these responses are relevant to his claim that Defendant lacked a legitimate basis for confiscating an outgoing letter to his then fiancé. *Id.* Defendant opposed the motion arguing the discovery Plaintiff sought was not relevant to opposing Defendant's cross-motion. Dkt. 32. Plaintiff subsequently filed supplemental responses

1 to Defendant's cross-motion for summary judgment upon receiving the discovery responses he
2 had requested from Defendant. Dkts. 35, 36, 37, 38.

3 In the interest of considering all relevant arguments and evidence pertaining to the
4 pending motions, the Court hereby GRANTS Plaintiff's motion for a continuance (Dkt. 27) and
5 will consider his supplemental response to Defendant's cross-motion for summary judgment.
6 Defendants may file a supplemental reply to their cross-motion on or before **July 26, 2021**. The
7 Clerk is directed to re-note Plaintiff's motion for summary judgment (Dkt. 20), Defendant's
8 cross-motion for summary judgment (Dkt. 22) and Defendant's motion to seal (Dkt. 25) to **July**
9 **26, 2021**.

10 DATED this 19th day of July, 2021.

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14 BRIAN A. TSUCHIDA
15 United States Magistrate Judge
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